

Tips for Paying Your Rent With Money Orders

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How you pay your rent can be very important. While money orders are convenient, there are certain things you can do to maximize their usefulness:

1. Please carefully fill out the money order with the following information:
 - Pay to the order of: [Landlord's name];
 - Payment for/account #: specify which month(s) you are paying
 - By indicating the month(s) being paid by the money order, the landlord should credit the money order payment toward the rent charge for the specified month(s), rather than covering non-rent charges such as late fees);
 - Your address; and
 - Your signature.
2. A money order may not be cashed if there is illegible writing or a mistake on it, such as an error involving the name of the landlord. If your landlord has problems cashing your money order, you can ask for a refund from the company from which you bought the money order. However, it may take months to receive the refund. If you do not have the money to pay the rent when it is due, your landlord may serve you with court papers for an eviction.
3. Keep a copy of the actual money order (paper copy or photo). This is evidence that you purchased a money order and correctly filled it out for payment to the landlord.
4. Obtain a receipt from the landlord/property manager/rental office when you hand over the money order. In New York State, if you pay your rent with cash or a money order, the law says your landlord must give you a written receipt for the payment. A proper receipt will state:

- The date of your payment;
- The amount of the payment;
- Your address;
- The period paid (You have the right to tell the landlord which month(s) you are paying, so make sure to write the month(s) on your payment); and
- The signature and title of the person receiving the rent payment.

Can my landlord evict me even though I have evidence of a money order?

If the landlord disputes that they received your rent payment, you need to have proof of payment. Having evidence that you purchased and filled out a money order payable to the landlord may not be sufficient. If the judge doesn't believe that you gave the money order to the landlord, a copy of the money order may not be enough proof that you paid your rent. Thus, it is your responsibility to provide evidence of payment made to the landlord.

Protect yourself by getting a written receipt from your landlord/property manager/rental office every time you pay rent, as discussed earlier. If you are in court and you didn't get proper receipts for your payments, tell the judge.

What should I do if my money order is lost or the landlord claims they never received it?

- You should take steps to locate it.
- You can contact the institution that issued the money order to inquire about its status, specifically whether it has been cashed.

Consider signing up for a free checking account.

Since banks keep records of cashed checks, paying by check can help prove that your landlord received the rent money. To get a receipt for a rent payment made by check from the landlord, New York State law requires you to submit a written request to the landlord receipt. In response to your written request for a rent payment receipt, your landlord must provide you with a proper receipt having the information described in #3 above. A checking account may also be cheaper and more convenient than using money orders. Many banks offer free checking accounts.

If you sign up for a checking account, you do not have to get a debit or ATM card offered by the bank. Using a debit or ATM cards can be risky. It is often hard to keep track of your balance, and this can lead to high overdraft charges if you accidentally charge too much money from your debit or ATM card.

For more information about opening a checking account, contact a bank in your area. Be sure to ask about any minimum monthly balance rules when you visit the bank.

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